

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SIX4THREE, LLC, a Delaware limited
liability company,

Plaintiff,

v.

FACEBOOK, INC., a Delaware corporation,
and DOES 1 through 50, inclusive,

Defendant.

No. C 17-00359 WHA

**ORDER GRANTING
REQUEST TO FILE A
SURREPLY AND
REQUESTING RESPONSE
FROM PLAINTIFF**


Facebook objects to Six4Three's inclusion of seventeen exhibits appended to a reply declaration in support of its motion to remand and to Six4Three's use of excessive footnotes in smaller than 12-point font and more than twenty-eight lines per page in an effort to squeeze new arguments into its reply in violation of this Court's formatting requirements. Facebook may submit a surreply **NOT TO EXCEED FIVE PAGES** by **FEBRUARY 15 AT 2:00 P.M.**

Facebook may not use this surreply as an opportunity to restate its arguments in opposition. Any material in the surreply not directed at new arguments or evidence raised for the first time on reply will be stricken.

1 Additionally, by **FEBRUARY 15 AT 2:00 P.M.**, plaintiff shall state unequivocally whether
2 it will rely in any way on any federal law to support its claims herein. The response must be
3 either “yes” or “no.” If the answer is “no,” plaintiff will be bound to that answer and on remand
4 may not rely on any federal law.

5
6 **IT IS SO ORDERED.**

7
8 Dated: February 14, 2017.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE